

Assigned DOGM File No.: S / /

DOGM Lead: \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_ Ck # \_\_\_\_\_

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

**NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS**

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

\*\*\*\*\*

**I. GENERAL INFORMATION (Rule R647-3-104)**

1. Name of Mine: Desert Sienna
2. Name of Person or Entity Applying for Permit: Born Stone Products, Inc.  
Contact (Authorized Officer): Jerome Born  
Address: 93 W. 300 S.  
City, State, Zip: Manti Ut. 84642  
Phone: 435-835-1797 Fax: same  
E-mail Address: jerryborn@hotmail.com

Company ( ) Corporation (X) Partnership ( ) Individual ( )  
Other ( ) - specify type \_\_\_\_\_

A corporation must be registered with the State of Utah, Division of Corporations. Are you currently registered to do business in the State of Utah? ☒ Yes ☐ No

Business License # 5825682-0142

Registered Agent (as identified on business license): Jerome Born  
Address: 93 W. 300 S.  
City, State, Zip: Manti Ut. 84642  
Phone: 435-835-1797 Fax: same  
E-mail Address: jerryborn@hotmail.com

3. Name of Operator (if different from #2) \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

APPROVED

APR 25 2008

JAN 25 2008

**If Partnership or Individual:****Name of 1<sup>st</sup> owner / partner:** \_\_\_\_\_**Address:** \_\_\_\_\_**City, State, Zip:** \_\_\_\_\_**Phone:** \_\_\_\_\_**Fax:** \_\_\_\_\_**E-mail Address:** \_\_\_\_\_**Name of 2<sup>nd</sup> owner / Partner:** \_\_\_\_\_**Address:** \_\_\_\_\_**City, State, Zip:** \_\_\_\_\_**Phone:** \_\_\_\_\_**Fax:** \_\_\_\_\_**E-mail Address:** \_\_\_\_\_**If Corporation or Limited Liability Entity:****Name of Officers:** \_\_\_\_\_

Jerome L. Brown

**Title:** \_\_\_\_\_

President

Dorothy L. Brown

**Title:** \_\_\_\_\_

Vice President

Matthew C. Brown

**Title:** \_\_\_\_\_

Secretary

**4. Permittee / Operator Representative (if different from #2):****Name:** \_\_\_\_\_**Address:** \_\_\_\_\_**City, State, Zip:** \_\_\_\_\_**Phone:** \_\_\_\_\_**Fax:** \_\_\_\_\_**E-mail Address:** \_\_\_\_\_**5. Ownership of Land Surface:**Private (Fee) ☐Public Domain (BLM) ☒National Forest (USFS) ☐State Trust Land/School Sections ☐State Sovereign Lands ☐

Other (please describe): \_\_\_\_\_

**Name** \_\_\_\_\_**Address** \_\_\_\_\_**Name** \_\_\_\_\_**Address** \_\_\_\_\_**Name** \_\_\_\_\_**Address** \_\_\_\_\_**Name** \_\_\_\_\_**Address** \_\_\_\_\_**6. Ownership of Minerals:**Private (Fee) ☐Public Domain (BLM) ☒National Forest (USFS) ☐State Trust Land/School Sections ☐State Sovereign Lands ☐

Other (please describe): \_\_\_\_\_

**Name** \_\_\_\_\_**Address** \_\_\_\_\_**Name** \_\_\_\_\_**Address** \_\_\_\_\_**Name** \_\_\_\_\_**Address** \_\_\_\_\_**Name** \_\_\_\_\_**Address** \_\_\_\_\_

APPROVED

APR 25 2003

DIV. OIL GAS &amp; MINING

BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s): UTW-79570

BLM Claim Numbers UMC 380317 & UMC 381971

Utah State Lease Number(s): \_\_\_\_\_

Name of Lessee(s) \_\_\_\_\_

7. Have the above surface and mineral owners been notified in writing?  
Yes ☒ No \_\_\_\_\_

If no, why not? \_\_\_\_\_

*Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration prior to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.*

8. Does the Permittee / Operator have legal right to enter and conduct mining operations on the land covered by this notice? Yes ☒ No \_\_\_\_\_

## II. PROJECT LOCATION & MAP (Rule R647-3-105)

1. Project Location (legal description):

County(ies): Emery

<u>lots 1 &amp; 8</u>	1/4, of	1/4, of	1/4: Section: <u>6</u>	Township: <u>21S</u>	Range: <u>8E</u>
<u>lots 4 &amp; 5</u>	1/4, of	1/4, of	1/4: Section: <u>5</u>	Township: <u>21S</u>	Range: <u>8E</u>
<u>lot 11</u>	1/4, of	1/4, of	1/4: Section: <u>31</u>	Township: <u>20S</u>	Range: <u>8E</u>

UTM East \_\_\_\_\_ (if known) UTM North \_\_\_\_\_ (if known)

Name of Quad Map for Location: Molen, Utah

2. An accurate topographic base map showing the location of the proposed small mining operation must be submitted with this notice. A USGS 7.5 minute series map is preferred. The areas to be disturbed should be plotted in sufficient detail so that they can be located on the ground. It is recommended that the Permittee / Operator also photo document, plot and label any pre-existing disturbances in the immediate vicinity that he is not responsible for.
3. The proposed (5 acre or less) disturbed area boundary (including access/haul roads) should be marked in the field ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

APPROVED

APR 25 2008

DIV. OIL GAS & MINING

**III. OPERATION PLAN (Rule R647-3-106)**

1. Type of mining: Surface ☒ Underground ☐
2. Mineral(s) to be mined: Sandstone
3. Amount of material to be extracted, moved or proposed to be moved: 2,500 tons + Annually.
4. Will any water, liquid chemicals, reagents, or other solutions be used, produced or discharged as part of the mining or milling process?  
Yes ☐ No ☒ If yes, please describe (add extra pages if needed)  
\_\_\_\_\_
5. Provide a brief description of the proposed mining operation and onsite processing facilities (add extra pages if necessary). Stone extraction via excavator. Wheel loader used to maneuver stone. Stone will be processed by hand & hydraulic stone cutter. Tools & supplies will be stored in a 20' steel container.  
1,500
6. ☒ New Road(s): Length 1,250 (ft) Width 12 (ft)
7. ☐ Improved Road(s): Length \_\_\_\_\_ (ft) Width \_\_\_\_\_ (ft)
8. Total project surface acreage to be disturbed: 5 (acres) PLEASE SPECIFY EXACT ACREAGE - (this will be used to determine surety bond amount - see #VI).
9. Proposed startup date of project (month, year) ASAP
10. Proposed completion date of project, if known (month, year) unknown

**IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)**

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining:

1. Keep the mining operation in a safe, clean, and environmentally stable condition.
2. Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.
3. Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.
4. Construct berms, fences, or barriers, when needed, above highwalls and excavations.
5. Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.

APPROVED

APR 25 2008

DIV. OIL GAS &amp; MIN.

6. Remove all waste or debris from stream channels.
7. Dispose of any trash, scrap metal, wood, machinery, and buildings.
8. Conduct mining activities so as to minimize erosion and control sediment.
9. Reclaim all roads that are not part of a permanent transportation system.
10. Stockpile topsoil and suitable overburden prior to mining.
11. Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.
12. Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.
13. Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)
14. Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.

#### V. **VARIANCE REQUEST (Rule R647-3-110)**

Any variance request must be approved in writing by the Division

Yes ☐ No ☐

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above, should be identified below and justification given for the variance request(s).

Item Number	Variance Request Justification

#### VI. **SURETY (Act 40-8-7(1)[c])**

**The surety must be provided to and approved by the Division prior to commencement of operations.**

The Utah Mined Land Reclamation Act (40-8-7 (1)[c] and 40-8-14 provides the authority that all mining operations furnish and maintain reasonable surety to guarantee that the land affected is reclaimed according to approved notices consistent with on-site conditions. The surety amount is based on the nature, extent and duration of operations. These amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions.

\$5,000 for the 1<sup>st</sup> acre; and  
\$3,000 for each additional acre.

Acceptable forms of surety may include: certificates of deposit, letters of credit, surety bonds & cash. Please identify which type of surety you will post so we can provide you with the appropriate forms.

☒ Certificate of Deposit      ☐ Letter of Credit      ☐ Surety Bond      ☐ Cash  
☐ Other \_\_\_\_\_ (please identify)

(please be advised that the State Treasurer's office may require additional monies to administer cash sureties).

Check if applicable:

☐ Reclamation surety is already posted with another regulatory agency (copy must be included as proof):  
\$ \_\_\_\_\_ (amount)      \_\_\_\_\_ (Agency name)

APPROVED

APR 25 2008

DIV. OIL GAS & MINING

**VII. PERMIT FEE [Mined Land Reclamation Act 40-8-7(1)(I)]**

The Utah Mined Land Reclamation Act of 1975 [40-8-7(1)(I)] provides the authority for the assessment of permitting fees. Commencing with the 1998 fiscal year (July 1 - June 30), permit fees are assessed to new and existing notices of intention, and annually thereafter, until the project disturbances are successfully reclaimed by the Permittee / Operator and released by the Division.

**Small Mine Notices require a \$150.00 fee which must accompany this application or it cannot be processed by the Division.**

**NOTICE:** The following person(s) are authorized and designated to receive Notices of Violations, Cessation Orders and all other Notices required by the Division to be given to the permittee or operator:

Name: Jerome Brown  
 Address: 93 W. 300 S. / Box 224  
 City, State, Zip: Manti, Ut. 84642  
 Phone: 435-851-0216 Fax: 435-825-1797  
 E-mail Address: ~~jbrown~~ jerrybrown@hotmail.com

Name: Danny Brown  
 Address: 595 E 600 S. / Box 27  
 City, State, Zip: Manti, Ut. 84642  
 Phone: 435-851-0185 Fax: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_

**VIII. SIGNATURE REQUIREMENT**

I hereby verify that the foregoing information is true and accurate and commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

(Please check the box and place your initials on the line provided)

- prev. paid JJB ☐ I have enclosed the required permit fee.  
JJB ☒ I have also enclosed the appropriate reclamation surety amount or have made arrangements as to when the surety will be furnished.  
JJB ☒ I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Oil, Gas and Mining and any other authorized regulatory agency.

(Note: If a company or corporation, this form must be signed by the owner or officer who is authorized to bind the company/corporation to this Notice.)

Signature of Permittee/ Operator/ Applicant: [Signature]  
 Name (typed or printed): Jerome L Brown  
 Title/Position (if applicable): President  
 Date: 5/16/07

APPROVED

APR 25 2008

DIV. OIL GAS &amp; MINING

# MINE PLAN

## PLAN OF OPERATION / SMALL MINE

### 1. Applicant Information:

#### A. Claim and Project Information

Operator: Bown Stone Products, Inc.

EIN: 72-1595483

Claim Name: Desert Sienna/UMC380317

Claim Type: Placer

Minerals to be Mined: Thin bedded Sandstone

Surface Ownership: BLM

Claim Owners: Jerome L. Bown, Danny L. Bown, Matthew C. Bown, Bown Stone Products, Inc.

Addresses:

Jerome L. Bown

93 west 300 south

Manti, Utah 84642

Danny L. Bown

595 east 600 south

Manti, Utah 84642

Matthew C. Bown

954 east 960 south

Ephraim, Utah 84627

Bown Stone Products, Inc

93 west 300 south

Manti, Utah 84642

Location of Claim/Project: T21 S, R8E, SLBM.

SEC. 6: Lots 1 & 8

SEC. 5: Lots 4 & 5

Part of new road extends into: T20 S, R8E, SLBM.

SEC. 31: Lot 11

Molen, Utah Quadrangle Map

B. Individual Completing Application: Jerome L. Bown

President, Bown Stone Products, Inc.

Date: 8/15/05

C. Business Address: see above

D. Telephone Number: 435-835-1797

APPROVED

APR 25 2008

DIV. OF OIL & GAS

RECEIVED

JAN 25 2008

DIV. OF OIL & GAS

## 2. Operating Plan:

### E. Description of Operations:

Access to the project site will be on existing multiple use roads. A 12' wide road will be developed to access the active parts of the quarry. A wheel loader (3-5 yard machine size) will be used to make slight improvements on necessary spots, mainly to prevent rutting (see map). A processing/inventory/loading pad will be constructed using the wheel loader. The geography of the area is relatively flat. Small amounts of Overburden/waste rock will be used to fill in voids and low spots. Overburden/waste rock will also be used on this road for leveling. Stone will be extracted using an excavator (60,000-80,000 lb track excavator). The deposit is bedded horizontally. The Excavator will be positioned on top of the target deposit and stone will be pulled up from its natural beds. The stone will then be loaded into the wheel loader and transported to a processing pad. The stone will be split, graded, and packaged for shipment. Transport trucks will be loaded with the wheel loader on the processing pad. Some stone may be shipped in raw form to a processing plant to be sawn and then split into tiles. Product will be sold to Brokers, retailers and installers for decorative applications.

We intend to work the quarry in a consistent flow as opposed to five acre segmented disturbances. This will allow continuous production. Five acre segment disturbances freeze operations while waiting for re-growth on previous disturbances. We will implement concurrent excavation/reclamation while staying within the five acre allowance (see map).

In times of non-operation all benches and pits will be bermed, and unstable materials (loose slabs/unstable earth) will be removed. The stone deposit being mined is solidly bedded and has stable characteristics, as to not erode or slide.

Diesel fuel will be stored in a 500 gallon gravity powered tank on the pad. The tank will have a safety reservoir underneath it in case of tank failure.

Machines will be fueled with this tank, taking care not to spill or over fill.

Hand tools and maintenance supplies will be stored in a 20' steel storage container on the pad.

### F. Topographic maps: Attached

APPROVED

### G. Description of areas to be disturbed:

APR 25 2008

DIV. OIL GAS

This will be an open pit mine / Bench type. There will also be a processing pad of about 1 acre in size. Minimal waste piles will be used to backfill the



disturbed excavations. Access routes will be traveled by tractor trailer trucks, flatbed type, and passenger car size vehicles.

H. Previous Disturbances: None.

I. Water Bodies: None.

J. Acreage Disturbance: Total: 50 acres. Not more than 5 acres at any time.

### **3. Reclamation Plan:**

Initiation of operation: ASAP

Completion Date: Unknown

Access roads will be maintained to prevent any unnecessary rutting and so forth, and also for safety. We will also take measures in the quarry as to not disturb unnecessary land.

We will incorporate concurrent reclamation as the quarry operates. The proper berms will be maintained for roads, open pits etc. The excavated land will be backfilled with waste rock, topped with soil and planted. All equipment, machinery etc. will be removed after completion. This will be done in accordance with BLM and DOGM rules and regulations. Reclamation efforts will be monitored and maintained until BLM and DOGM are satisfied.

Post-mining land use will be the same as present use (grazing and recreation).

We (the operator) agree to assume responsibility for the reclamation of any surface area affected by the mining operation.

### **4. Bonding**

Estimate of reclamation cost: To be established between BLM & DOGM.

APPROVED  
APR 25 2008  
DIV. OIL GAS & MINING

**5. Acknowledgements:**

- a. It is understood that should the nature of the operation change, a modified or supplement plan of operations and reclamation will be required.
- b. It is understood that approval of this plan of operation and reclamation does not constitute:
  - i. certification of ownership to any person named herein; and
  - ii. recognition of the validity of any mining claim herein.
- c. It is understood that a bond equivalent to the actual cost of performing the agreed upon reclamation measures will be required before ground disturbing activities may begin. Bonding and any bond reduction amounts will be set on a site-specific basis by the lead agency in coordination with the cooperating agencies.
- d. It is understood that approval of this plan does not relieve me of my responsibility to comply with any other applicable State or Federal laws, rules or regulations.
- e. It is understood that any information provided with this plan that is marked confidential will be treated by the agency in accordance with the agency's laws, rules and regulations. I/we have reviewed and agree to comply with all conditions in the plan of reclamation and operations, including the recommended changes and reclamation requirements. I/we understand that the bond will not be released until the BLM gives written approval of the reclamation work.



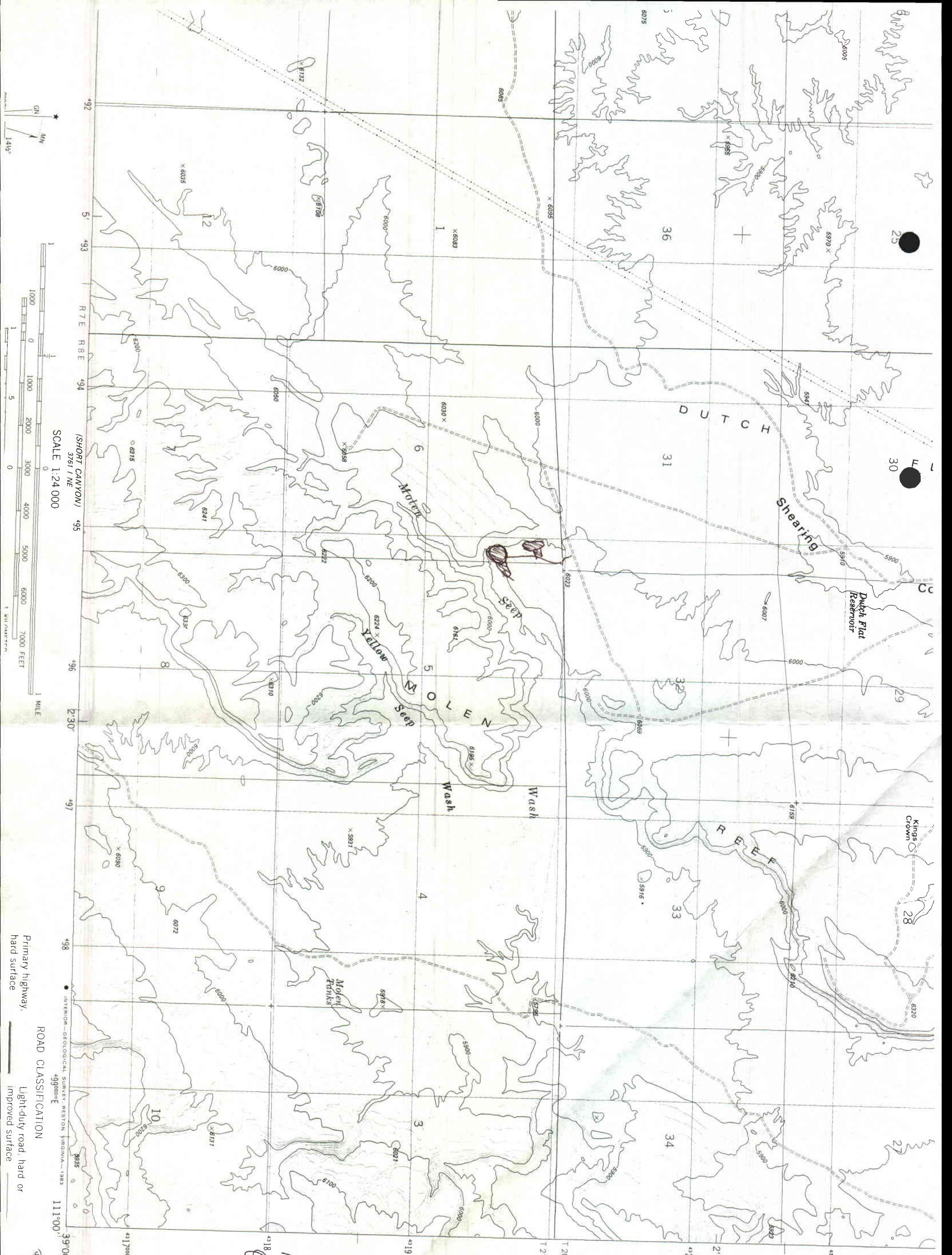
Jerome L. Bown, President

Date: 1/21/2008

APPR

APR 25 2003

DIV. OIL GAS & MIN.



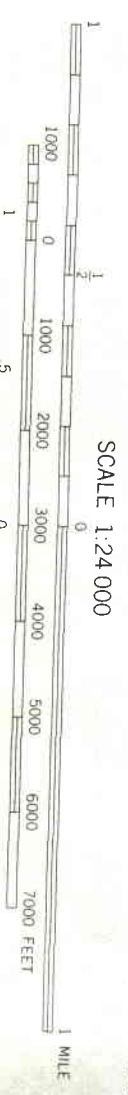
APPROVED

APR 25 2008

DIV. OIL GAS & MINING

location  
MAP.  
Molen  
Quadrangle

ROAD CLASSIFICATION  
Primary highway,  
hard surface  
Light-duty road, hard or  
improved surface





EXCAVATING

WORK PAD

STORAGE CONTAINER

WASTE PILES

NEW QUARRY ROAD

DESERT SIENNA  
#S0150093

Parts of:  
T. 21 S., R. 8 E., SLBM  
Sec. 6: Lots 1 & 8  
Sec. 5: Lots 4 & 5  
T. 20 S., R. 8 E., SLBM  
Sec. 31: lot 11  
Molen, Utah Quadrangle Map.

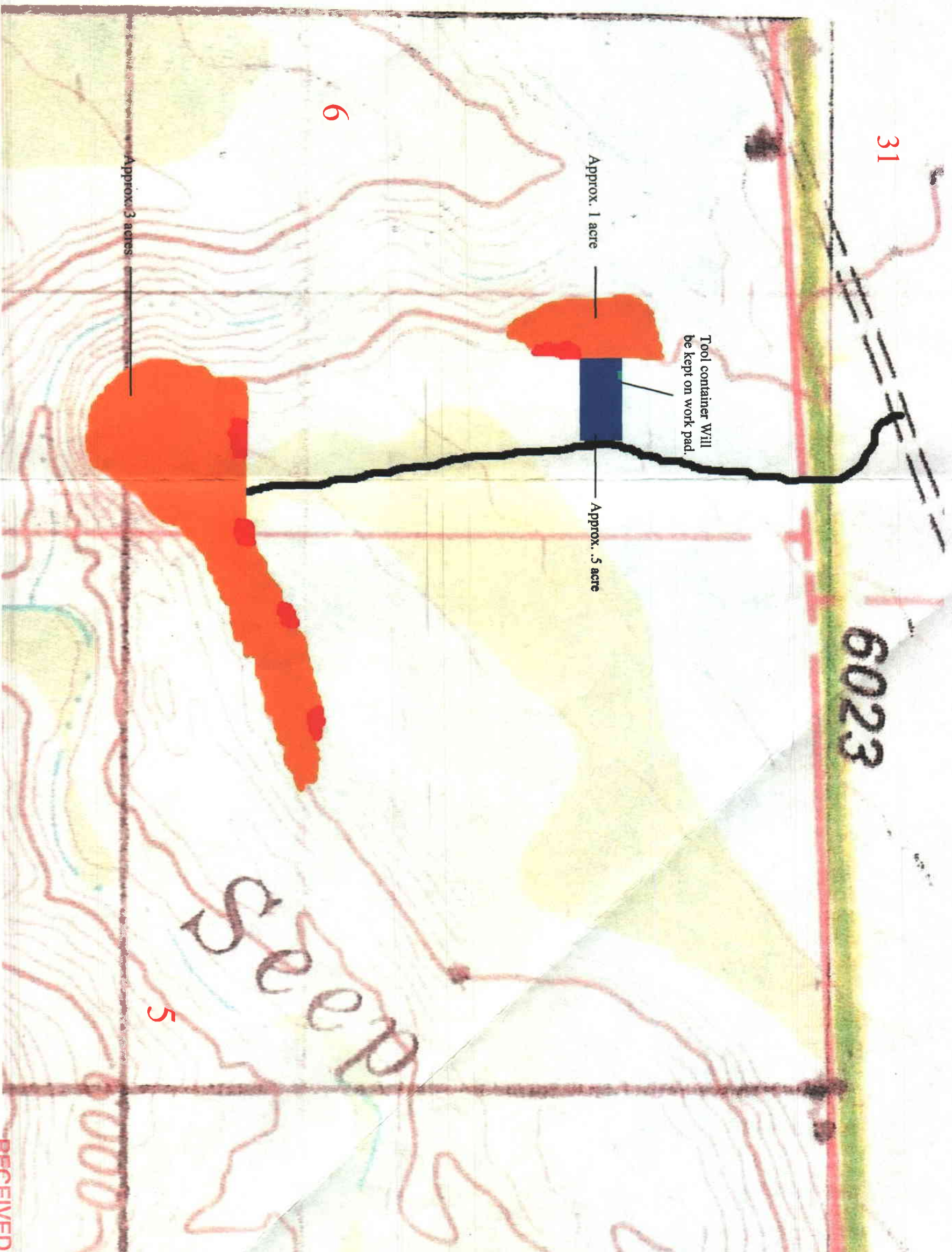
APPROVED

APR 25 2008

DIV. OF OIL, GAS & MINING



1 inch equals 250 feet



RECEIVED

JAN 25 2008

DIV. OF OIL, GAS & MINING



